

Judge Zilly

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERTO EDEN MONTOYA,

Defendant.

NO. CR05-295Z

ORDER CONTINUING  
TRIAL DATE

THIS MATTER comes before the Court on a motion by the United States to continue the trial date. Having considered the entirety of the record and files herein, the Court finds that failure to grant a continuance would likely result in a miscarriage of justice by depriving the government of an essential witness who could not be obtained by due diligence. The Court further finds that the interests of the public and the defendants in a speedy trial in this case are outweighed by the ends of justice.

IT IS NOW, THEREFORE, ORDERED that trial in this matter be continued to October 24, 2005, at 9:00 a.m., and that the time between the date of this Order and the

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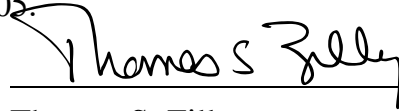
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Order Continuing Trial  
and Motions/CR05-295Z -1

1 new trial date be excludable time under the Speedy Trial Act pursuant to Title 18, United  
2 States Code, Section 3161(h)(3)(A).

3 Dated this 7th day of October, 2005.



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5 Thomas S. Zilly  
6 United States District Judge

7 Presented by:

8  
9 s/Douglas B. Whalley

10 DOUGLAS B. WHALLEY

11 Assistant United States Attorney

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